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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/890,580

08/02/2001

Norishisa Okada

648.40365X00

6329

20457

7590

03/09/2004

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EXAMINER

MUSSEY, BARBARA J

ART UNIT

PAPER NUMBER

1733

DATE MAILED: 03/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/890,580

Applicant(s)

OKADA ET AL.

Examiner

Barbara J. Musser

Art Unit

1733

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2. ☒ The proposed amendment(s) will not be entered because:  
(a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ they raise the issue of new matter (see Note below);  
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.  
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1, 2, 5-14.

Claim(s) withdrawn from consideration: 15-26.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.  
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.  
10. ☐ Other: \_\_\_\_\_

Continuation of 2. NOTE: The addition of the new language to claim 1 without canceling claims 2 and 7 raises new issues which would require further consideration .

### **ATTACHMENT**

If the amendment were re-submitted and claims 2 and 7 were canceled, it would be entered. However, the claims would still not be allowable.

Regarding applicant's argument that neither of the references disclose bending the first plate and then bending the core and second plate, one reading the reference as a whole would appreciate that the same result would be achieved in Palfey et al. independent of whether the core was bent with the first or second plate since the purpose is to prevent rupture of the core. Since Banks et al. discloses that the first plate is crinkled and indicates that an attractive appearance for the first plate is desirable, one in the art would appreciate that bending the first plate alone and then bending the core and second plate would result in an attractive appearance for the first plate. The primary difference between Palfey et al. and applicant's claims is which plate the core is bent with, and Palfey et al. appears to indicate that is not critical to the invention as the purpose of the invention is to prevent the stress of both panels being attached to the core when it is bent from rupturing the panel.

Regarding applicant's argument that the references do not disclose bending the first plate with a vacuum, Banks et al. discloses it is known in the art to move the panel using a vacuum. One in the art reading the references as a whole would appreciate that the vacuum could be used to bend the first plate since it is known to use vacuum to move the panel and since Palfey et al. is silent as to how the first plate is bent.

Regarding applicant's argument that the shape of the detached surface has no relevance to the shape of the finished product, the shape of the portion bent has

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relevance to the shape of the finished product. The portion that is bent is shaped to the desired final shape.

Regarding applicant's argument that the references do not teach the laminated material taking the shape of the first plate, Palfey et al. teaches that to form a curve, a portion is bent and the remainder is attached thereto. Clearly, the portion that is bent is bent to the desired final shape regardless of whether the core is attached to it during that bending.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Barbara J. Musser** whose telephone number is **(571) 272-1222**. The examiner can normally be reached on Monday-Thursday; alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571)-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

*BJM*

BJM

*Jeff H. Aftergut*

JEFF H. AFTERGUT  
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